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|---|-----------------|------------------|
| <b>Serial Number</b><br> | Application No. | Applicant(s)     |
|   | 09/769,901      | Stefanovic, John |

|  |           |  |                                      |
|--|-----------|--|--------------------------------------|
| <b>TERMINAL DISCLAIMER</b>   |           | <input checked="" type="checkbox"/> APPROVED | <input type="checkbox"/> DISAPPROVED |
| The term of this patent shall not extend beyond the expiration date of U.S. Patent No: | 6,417,650 |  |                                      |
| The term of this patent subsequent to the adjacent date has been disclaimed.           |           |  |                                      |
| INTERNAL DOCUMENT – DO NOT MAIL  |           | Document Code -<br>DISQ                      |                                      |

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TERMINAL DISCLAIMER  
APPROVED

AUG 19 2003

TECHNOLOGY CENTER 2800  
SPECIAL PROGRAM CENTER

PATENT

ATTORNEY DOCKET NO. 0059/058002 - 199-1309(2)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Victor STEFANOVIC  
John MILLER  
Serial No. : 09/769,901  
Filed : January 26, 2001  
Title : INDUCTION GENERATOR CONTROL WITH MINIMAL SENSOR  
REQUIREMENTS

Art Unit: 2834  
Examiner: Gonzalez, J.

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

TERMINAL DISCLAIMER TO OBLIGATE A DOUBLE PATENTING

REJECTION OVER A PRIOR PATENT

02/24/2003 SZE/DIE1 00000026 192586 03769901

01 FC:1314 Sir: \$10.00 CH

The owner, Ford Global Technologies, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,417,650. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

TERMINAL DISCLAIMER TO OBLIVIATE A DOUBLE  
PATENTING REJECTION OVER A PRIOR PATENT  
Application No. 09/769,901

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statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The \$110.00 fee for terminal disclaimer fee under 37 CFR 1.20(d) is included with this paper as indicated on the attached Transmittal Letter.

Please telephone the undersigned if there are any questions regarding this application. The undersigned is the attorney of record.

RENEE PRESTON *R. Preston*  
PARALEGAL SPECIALIST  
TECHNOLOGY CENTER 2800

Date: February 20, 2003

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Respectfully submitted,

*R. A. Smith*  
Randolph A. Smith  
Reg. No. 32,548

## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

DATE: 20-Aug-03

APPL. S.N.:

09/769,901TO: EXAMINER Gonzalez, Julio

ART UNIT:

2834FROM: Preston, Renee

PARALEGAL SPECIALIST

RETURN THIS MEMO TO:

CP4-6D34SUBJECT: Decision on Terminal Disclaimer (T.D.) filed: 20-Feb-03

**INSTRUCTIONS:** I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete, please Remove and discard this memo. THANK YOU.

The T.D. is PROPER and has been recorded (see ¶14.23).

The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see ¶ 14.24):

[ ] The TD fee of [ ] has not been submitted nor is there any authorization in the application file for the use of a deposit account (see ¶ 14.26.07).

The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see ¶¶ 14.26 & 14.26.01).

The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection. Rule 321(b) (see ¶ 14.27.01).

The T.D. is directed to a particular claim(s), which is not acceptable since “the disclaimer must be for a terminal portion of the term of the entire patent to be granted” (MPEP 1490) (see ¶¶ 14.26 & 14.26.02).

The person who signed the T.D.:

[ ] is not an attorney “of record” (see ¶¶ 14.29 and 14.29.01).

[ ] has failed to state his/her capacity to sign for the business entity (see ¶ 14.28).

[ ] is not recognized as an officer of the assignee (see ¶¶ 14.29 & possible 14.29.02).

No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see ¶ 14.30).

The T.D. is not signed (see ¶¶ 14.26 & 14.26.03).

The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see ¶ 14.32).

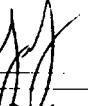
The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed) is missing or incorrect (see ¶¶ 14.26, 14.27.02 or 14.26.05).

The period disclaimed is incorrect or not specified (see ¶¶ 14.26, 14.27.02 or 14.26.03).

Other: [ ]

Suggestion to request refund (see ¶ 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex. Initials: Date: 08/22/03

Log Date: